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PART-IIA

GOVERNMENT OF MEGHALAYA

NOTIFICATION

The 13th March, 2020.

MEMORANDUM

***Guidelines for appointment of Chairman, Members and Member Secretary of
Meghalaya State Pollution Control Board***

No.FOR.107/2014/537. – In pursuance of the Supreme Court judgement dated 22nd September, 2017 in the matter of Civil Appeal No. 1359 of 2017 Techi Tara Vs Rajendra Singh Bhandari & Ors, **Guidelines** on the terms and conditions of appointment and service of Chairman, Members and Member Secretary of the Meghalaya State Pollution Control Board is hereby made as follows:-

1. The term and conditions of appointment and service of the **Chairman of the Board** are as here under
 - 1.1 **Eligibility – No person shall be eligible for appointment as Chairman, unless –**
 - 1.1.1 He possesses Bachelor's degree in science, engineering or allied science wherein basic knowledge relating to ecology or environment is part of syllabus from a recognized university or institution preferably with a degree in law and has practical experience in matters dealing with environment protection or management at least for a period of fifteen years; or
 - 1.1.2 He is or has been an officer under the State Government of Public Sector Undertaking or Statutory Body dealing with environment protection or management not below the rank of Conservator Forest and has experience in administering institute, body, organization or office dealing with environment protection or management.
 - 1.2 **Nature of appointment** – The appointment shall either be on contract basis in case of non-officials or retired officials and on deputation basis in case of serving officials.
 - 1.3 **Tenure** – The appointment shall be for a tenure of 3 (three) years from the date of joining and at the discretion of the State Government may be given extension subject to an age limit of sixty-five years.

1.4 Pay and allowances –

- 1.4.1 Government Officials serving on part time basis shall be entitled to perks and allowances to be determined by the Board which shall not be less than the allowances entitled in his substantive post.
- 1.4.2 In case of officials appointed on full time basis, he shall be entitled to pay and allowances as admissible to him in his parent department or cadre.
- 1.4.3 In case of non-officials or retired officials, the pay and allowances shall be as specified in the appointment order.
- 2. The term and conditions of appointment and service of the **Members of the Board** are as hereunder:-

2.1 Official Members

- 2.1.1 Nomination of official Members representing the State Government shall be from the departments dealing with environment aspects such as Forest & Environment, Commerce & Industries, Health, Water Resources including Public Health Engineering & Sanitation, Urban Affairs, Agriculture, Fishery, Soil and Water Conservation etc.
- 2.1.2 Appointment of official Members shall be *ex-officio*
- 2.1.3 Total number who could be nominated shall not exceed 5 (five).

2.2 Members representing Local Authority

- 2.2.1 Nomination of Members representing local authority such as Municipal Board, Urban Development Authority, Autonomous District Council, Town Committee etc.
- 2.2.2 Appointment of such Members shall be *ex-officio*.
- 2.2.3 Total number who could be nominated shall not exceed 5 (five).

2.3 Non-Official Members

- 2.3.1 No person shall be eligible for nomination / appointment unless he possesses Bachelor's degree in the field of agriculture or horticulture, animal husbandry & veterinary, fishery, industry, trade, labour, mining / geology, law and practical experience in any of this field.
- 2.3.2 Total number who could be nominated shall not exceed 3 (three).

2.4 Members representing Company or Corporation

- 2.4.1 Nomination of Members representing Company or Corporation shall be from Company or Corporation owned, controlled or managed by State Government dealing with forest, Industrial development, urban development, mining and mineral development, tourism development etc.
- 2.4.2 Appointment of such Members shall be *ex-officio*.
- 2.4.3 Total number who could be nominated shall not exceed 2 (two).

- 3. The and conditions of service of **Member Secretary** of the Board shall be as hereunder:-

3.1 Eligibility – No person shall be eligible for appointment as Member Secretary, unless -

- 3.1.1 He possesses Bachelor's degree in engineering or technology or Master's degree in Science / allied science where pollution control and prevention forms part of curriculum from a

- recognized university or institution and has practical experience in matters dealing with environment protection or management at least for a period of ten years; or
- 3.1.2 He is or has been an officer from the State Forests & Environment Department not below the rank of Deputy Conservator Forest having put in not less than eight years of service including training, or
- 3.1.3 He is an officer under the State Pollution Control Board not below the rank of Senior Environmental Engineer and has put in not less than ten years of service.
- 3.2 Nature of appointment** – The appointment shall either be on contract basis in case of non-officials or retired officials and on deputation basis in case of serving officials.
- 3.3 Tenure** – The appointment shall be for a tenure of three years from the date of joining and at the discretion of the State Government may be given extension for second tenure subject to an age limit of sixty years.
- 3.4 Pay and allowances** –
- 3.4.1 In case of an official from Forest and Environment Department, he shall be entitled to pay and allowances as admissible to him in his parent department or cadre.
- 3.4.2 In case of an official from State Pollution Control Board as per pay scale prescribed and allowances as admissible.
- 3.4.3 In case of non-officials or retired officials, the pay and allowances shall be as specified in the appointment order.
- 4. Interpretation** – In case of any dispute relating to interpretation of any provision of this guideline, the matter shall be referred to State Government in the Forest & Environment Department and its interpretation shall be final and binding.
- 5. Relaxation** – State Government in the Forest and Environment may relax any provision of the guideline if any undue hardship is caused while implementing and to meet ends of justice on a case to case basis and it shall not be cited as precedence.
- 6. Amendment** – State Government in the Forest and Environment Department may review and amend the guideline in the exigencies of public service and may amend rules under the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981 to insert provisions of this guideline.

A. MAWLONG,

Commissioner & Secretary to the Government of Meghalaya,
Forest & Environment Department.